

REMARKS

In the Advisory Action of May 17, 2005, it is stated that claims 1-25 are pending. Note that there were 28 claims prior to the Advisory Action and that now there are 29 claims. Claims 1-3, 20, and 23 are herein amended. Claim 29 is newly added. In addition, a Request for Continued Examination is filed herewith such that the amendments of April 26, 2005, and the amendments contained herein will be entered. Applicant acknowledges the rejection withdrawal with respect to claims 3 and 10 in view of Tanenaka et al. (U.S. Pat. No. 6,487,273 B1) and that claim 10 would be allowable if rewritten in independent form to include all of the limitations of the base claim. However, Applicant believes that claim 3 is now in allowable form for the reasons set forth below and as such claim 10 is allowable as drafted.

The Advisory Action states that Janouin et al. (U.S. Pat. No. 4,995,065) teaches the claimed limitations of an energy absorbing device that absorbs kinetic energy such as sound or noise. Applicant, respectfully, traverses. Nowhere in Janouin is the absorption of sound or noise mentioned or suggested. Nowhere in Janouin are the terms "sound" or "noise" even used. It is not clear from Janouin whether the substance 16 or the casing 17 is capable of absorbing sound or noise. However, it is clear as stated in the previous response that the casing 17 is incapable of sustaining the reception of kinetic energy received from the release of material fragments from a rotating anode.

In the background section of the present application, the Applicant has stated that the radial release of material fragments can cause cracking in an imaging tube housing. Clearly if the kinetic energy of the fragments is high enough to cause cracking in the housing, it would also cause damage to the casing 17. Damage to the casing 17, such as punctures or cracking, would result in the leaking of the substance 16 into the cooling fluid, which as stated in Janouin is undesirable.

Regardless of whether the apparatus of Janouin absorbs kinetic energy, Janouin fails to teach or suggest an energy absorbing device adapted to sustain the kinetic energy generated from the radial release of material fragments, the absorption of non-acoustical kinetic energy, and the reception of material fragments, as recited in claims 1-3, 20, 23, and 29.


In order for a reference to anticipate a claim the reference must teach or suggest each and every element of that claim, see MPEP 2131 and *Verdegrad Bros. V. Union Oil Co. of California*, 814 F.2d 628. Thus, since each and every element of claims 1, 3, 20, and 23 are not taught or suggested by Janouin, Applicant submits that claims 1, 3, 20, and 23 are novel, nonobvious, and are in a condition for allowance. Also, since claims 2, 4-19, and 21-28 depend from claims 1, 3, 20, and 23, respectively, they are also novel, nonobvious, and are in a condition for allowance for at least the same reasons.

In light of the amendments and remarks, Applicant submits that all of the objections and rejections are now overcome. The Applicant has added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to call the undersigned attorney.

The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 50-0476.

Respectfully submitted,

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